

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 16895 OF 2007

Dated 9th August 2007

Between:

Smt. P.Padmavathi Kantha Reddy

...Petitioner

and

The Women's Cooperative Housing Society Ltd.,
and another

...Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 16895 OF 2007

ORDER:

The petitioner became the member of the 1st respondent Cooperative Housing Society, in the year 1965. She is said to have been allotted a plot admeasuring 1140 Sq.yards, for a consideration of Rs.4,800/-. It is represented that the Society went on dodging the execution of sale deed, on the pretext that a dispute is pending in relation to the land. It is stated that the dispute was resolved in the year 1984, and at that time, the 1st respondent reduced the allotment to 525 Sq.yards and demanded extra amount of Rs.5400/-.

Petitioner filed A.R.C.No.56 of 1984, before the Cooperative Sub-Registrar-cum-Arbitrator. The Arbitrator passed an award dated 4.6.1986, directing that the 1st respondent shall register the plot admeasuring 555 Sq.yards to the petitioner. Not being satisfied with that, the petitioner filed an appeal in the Court of IX Assistant Judge, City Civil Court, Hyderabad, which was transferred to the Cooperative Tribunal, at Hyderabad, and renumbered as

C.T.A.No.320 of 1996. The appeal was dismissed on 29.11.1996. This writ petition is filed with a prayer to direct the 1st respondent, to implement the award dated 4.6.1986, passed by the Arbitrator in A.R.C.No.56 of 1984.

Heard the learned counsel for the petitioner and learned Government Pleader for Cooperation.

The A.P. Co-operative Societies Act, with the Rules made thereunder, is a self-contained code, not only for resolution of disputes by various agencies, but also for implementation of the result of adjudication. Detailed procedure is prescribed for enforcing the orders passed by the Arbitrator or Authorities, as the case may be. Having obtained an award, as provided for under the Act, the petitioner had to work out her remedies, before the agency provided for under the Act and the Rules. This court cannot be converted into an Execution Court, for the award passed in A.R.C.No.56 of 1984.

Therefore, the writ petition is dismissed, leaving it open to the petitioner, to work out her remedies, in accordance with law. There shall be no order as to costs.

9th August 2007

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